

**TAYplan Strategic Development Plan Authority**

**Summary of Unresolved Issues (Schedule 4)**

*Issue 4: Policy 1: Location Priorities – Policy 1b, text and general*

## Contents

### 1. Summary of Unresolved Issues

2. Copy of actual representations pertinent to this issue (*Personal details have been redacted. Full details have been provided to the DPEA separately.*)

- All representations include any attachments submitted by the respondent.
- Where representations were submitted in hard copy or by email these were entered into TAYplan's online system and all material originally submitted has been attached and appears here with the representation.

### 3. Library of documents

- All documents and extracts referred to in the representation and/or the Schedule 4 are either contained in the library attached to this Schedule or where over 50 pages within the Core Library (separate folders).

# 1. Summary of Unresolved Issues

Issue		
<b>Issue number 4: Policy 1: Location Priorities – Policy 1b, text and general</b>		
<b>Development plan reference:</b>	Page 8: Managing TAYplan's Assets Supporting Text Page 9: Policy 1, Part B	<b>Reporter:</b> [Note: For DPEA use only.]
Body or person(s) submitting a representation raising the issue and representation references		
<b>Seeking a change</b>		
ID Number	Person / Organisation	Representation Reference
548872	Alyth Community Council	PLAN823
548151	Andrew McCafferty Associates for GD Strawson and J Farquharson	PLAN446
548151	Andrew McCafferty Associates for GD Strawson and J Farquharson	PLAN745
548151	Andrew McCafferty Associates for GD Strawson and J Farquharson	PLAN747
443109	Barton Willmore for Scotia Homes	PLAN378
442149	Bidwells for Zurich Assurance Limited	PLAN663
445206	Emac Planning for J G Lang & Son	PLAN535
445203	Emac Planning for James Keiller Estates	PLAN714
548383	Emac Planning for L Porter	PLAN548
548360	Emac Planning for M Batchelor (B)	PLAN531
548301	Emac Planning for M Batchelor (K)	PLAN518
438726	Geddes Consulting for Lynch Homes	PLAN646
445159	Geddes Consulting for Thomson Homes Limited	PLAN884
445159	Geddes Consulting for Thomson Homes Limited	PLAN885
543112	GS Brown Construction	PLAN85
543112	GS Brown Construction	PLAN89
548389	Halliday Fraser Munro for Barratt Homes	PLAN581
442882	Homes for Scotland	PLAN215
346689	Karen Clark for Discovery Homes	PLAN542
237724	Lomond Land	PLAN407
443979	Lynne Palmer	PLAN153
343111	Montagu Evans LLP for Wallace Land Investment Management	PLAN331
442083	Montgomery Forgan Associates for Strategic Land (Scotland) Limited	PLAN278
548055	Mr Ian Fowler	PLAN387
548486	Mr Ken Miles	PLAN832
548760	Mrs D Jeffrey	PLAN808
548760	Mrs D Jeffrey	PLAN809
344887	Penny Uprichard	PLAN874
453889	Royal Burgh of St. Andrews Community Council	PLAN918
442871	Smiths Gore for Errol Park Estate	PLAN631
442870	Smiths Gore for Mansfield Estates	PLAN545
442870	Smiths Gore for Mansfield Estates	PLAN546

442870	Smiths Gore for Mansfield Estates	PLAN547
330884	Ryden for Bon Accord Land Limited / Stewart Milne Homes	PLAN127
539326	Spittalfield and District Community Council	PLAN95
331662	SportScotland	PLAN143
547750	St. Andrews Preservation Trust	PLAN842
546491	TMS Planning for Champion Homes	PLAN225
546491	TMS Planning for Champion Homes	PLAN226
546491	TMS Planning for Champion Homes	PLAN227
345005	TMS Planning for Mr James Thomson	PLAN237
345005	TMS Planning for Mr James Thomson	PLAN238
345005	TMS Planning for Mr James Thomson	PLAN239
345007	TMS Planning for Mr Simon Wilson	PLAN397
345007	TMS Planning for Mr Simon Wilson	PLAN398
345006	TMS Planning for Mr Tim Esparon	PLAN188
345006	TMS Planning for Mr Tim Esparon	PLAN192
345006	TMS Planning for Mr Tim Esparon	PLAN193
345006	TMS Planning for Mr Tim Esparon	PLAN201
345006	TMS Planning for Mr Tim Esparon	PLAN202
346675	TMS Planning for Muir Homes Limited	PLAN357
346675	TMS Planning for Muir Homes Limited	PLAN358

## Support as written

ID Number	Person / Organisation	Representation Reference
444081	Montagu Evans	PLAN457
344848	Scottish Natural Heritage	PLAN415

**Provision of the development plan to which the issue relates:**

This Schedule 4 relates to general points raised on Page 8 (Supporting Text) and points raised in relation to Policy 1, Part B on Page 9.

**Planning Authority's summary of the representation(s):**

### SUMMARY OF REPRESENTATIONS SEEKING A CHANGE

**Alyth Community Council (548872)** consider that the Proposed Strategic Development Plan focuses on the larger urban areas and neglects the rural area including small towns like Alyth.

**Andrew McCafferty Associates for GD Strawson and J Farquharson (548151 – PLAN446)** consider that the reference in Part B to prioritising land release should be deleted from the Plan.

**Andrew McCafferty Associates for GD Strawson and J Farquharson (548151 - PLAN745)** consider that It is not possible to prevent the implementation of extant planning consents for housing. Priority can be given to identifying brownfield sites which are suitable for development but there is no workable mechanism to prevent or delay other sites which are suitable for development being granted planning permission or implemented.

**Andrew McCafferty Associates for GD Strawson and J Farquharson (548151 - PLAN747)** consider that a new or consolidated settlement offers a number of benefits including the potential of providing social infrastructure such as educational and community facilities in an area of deficiency. It is unwise to be so categorical about ruling out a potential form of

development which could provide a source of land supply if the preferred alternatives in the Plan fail to deliver sufficient supply or do not deliver units at all. The respondent therefore considers that the option of a new or consolidated settlement should be kept in the Plan to meet needs in the latter period of the Plan.

**Barton Willmore for Scotia Homes (443109); Homes for Scotland (442882); Smiths Gore (for Errol Park Estate (442871); and Mansfield Estates (442870 – PLAN546 and PLAN547))** have requested an amendment to the wording of Policy 1, Part B, in order to ensure the reuse of previously developed land and buildings, where financially viable to do so.

**Bidwells for Zurich Assurance Limited (442149)** consider that whilst the capacity of growth accommodation will ultimately be decided in the Local Development Plans, the respondent believes that within Policy 1, TAYplan ought to make clear and emphasise the importance of development effectiveness in contributing to the housing land supply to 2032. Therefore in Section B of Policy 1, the respondent believes that the word "effective" should be inserted within 1 and 2 of the table.

**Emac Planning (for J G Lang & Son ( 445206); James Keiller Estates (445203); L Porter (548383); M Batchelor (B) (548360); M Batchelor (K) (54830)); Geddes Consulting (for Lynch Homes (438726); Thomson Homes Limited (445159 – PLAN884); and Thomson Homes Limited (445159 – PLAN885))** consider that an additional statement should be inserted under Part B, to include a reference to the identification of land release through the Local Development Plan process. **Geddes Consulting (for Lynch Homes (438726); and Thomson Homes Limited (445159))** also considers a reference should be included that where the effective land supply is not sufficient, additional land should be proposed through a mechanism in Local Development Plans.

**GS Brown Construction (543112 – PLAN85 and PLAN89)** have indicated that the Perth area does not have significant areas of brownfield land and that which exists is blighted by high costs for reuse. In addition, the respondent considers that the commitment in Policy B to prioritise land release for development within principal settlements is too simplistic – judgements on a site by site basis are necessary to establish whether they are effective or non effective.

**Halliday Fraser Munro for Barratt Homes (548389)** have commented that although the Proposed Plan identifies that land within principle settlements should be a priority for land release within the current economic climate this may not be achievable. There is inevitably very little Greenfield land within such locations. Brownfield sites invariably require significant investment and also are less likely to provide family housing which is required to meet the Plan's aspirations for a mix of housing types. Such sites are also more likely to produce flatted developments for which restrictive bank lending criteria make it difficult for households to secure a mortgage. Consequently, these types of development have been the most heavily affected by the economic downturn and are unlikely to make a significant contribution to the housing land supply in the short to medium term. There is a danger that an over-reliance on such an in-flexible policy could lead to failure for Local Development Plans to allocate and deliver Strategic Development Plan requirements. TAYplan as a strategic document is charged to take a long-term view. It should realistically be planning for economic recovery.

**Karen Clark for Discovery Homes (346689)** The respondent considers that Location Priorities should recognise that, particularly in the Dundee area where the administrative boundaries have been drawn very tightly around the City with no area of "urban fringe" included within the City boundaries, that the Tier 1 catchments makes some recognition of the urban fringe areas, particularly where the redevelopment of brownfield land is proposed. Further, the boundaries of the various tiers are unclear; a more detailed plan is required to ensure clarity on the tier catchment areas.

**Lomond Land (237724)** have indicated that the need to allow development to support rural communities and sustain rural economies where they genuinely offer opportunity for self-sustaining settlement expansion should be given stand alone policy support by TAYplan. This should be separated from the sequential test approach of Policy 1. The test of acceptability of development to support rural communities should be based on criteria which assess the developments contribution to sustaining the settlements where it is proposed, not the availability of land in the other principal settlements as proposed by the sequential Policy 1.

The strategy to focus development almost exclusively on principal settlements at the expense of all other settlements and areas is overly restrictive and contrary to national policy. Policy 1 identifies the principal settlements. Clause B of Policy 1 identifies what is described as a sequential approach to locating development and only having gone through this criteria can development which offers the opportunity for self-sustaining settlement expansion of other settlements be considered.

It is highly likely that the effect of this will be that the, 'self-sustaining development needs of other settlements', will not be met because they will always be considered subservient to the land availability of the principal settlements. This effect, possibly unintended, but nevertheless the likely outcome, will be contrary to Scottish Planning Policy.

The TAYplan Topic Paper 6: Spatial Strategy at para. 5.12 acknowledge that "an *outright ban would deprive communities of vital small scale development or changes of use which provide housing, employment or services and facilities.*" In the same paragraph it fails to recognise that such small scale community based development can also contribute to reducing travel demand by the co-location of people and services in the same way that a general strategic concentration on the Principle Settlements can.

**Lynne Palmer (443979)** notes that Policy 1, Part B mentions "prioritising land release" and "reuse of previously developed land", however there is no mention of demolition to release land. The respondent therefore considers that buildings that are single storey and next to buildings of 3/4 stories especially flats, should be removed to allow more housing to be built. The word demolition should therefore be included.

**Montagu Evans LLP for Wallace Land Investment Management (343111)** Consider that, where there is an established need locally, the development of land at or near the settlement edge or indeed locations which are or can be made sustainable should be considered favourably subject to detailed policies of the individual local development plans.

**Montgomery Forgan Associates for Strategic Land (Scotland) Limited (442083)** consider that TAYplan should specifically state that both greenfield and brownfield land will be required to secure the identified levels of completion and to offer choice as required by Scottish Planning Policy.

**Mr Ian Fowler (548055)** has requested that a comment is included within the Proposed Strategic Development Plan that present village boundaries will be recognised and not exceeded by additional developments, coalescence between settlements will not be allowed and the integrity and independence of small villages will be guaranteed.

**Mr Ken Miles (548486)** considers that Policy 1, Part B, third point in table should be deleted as the statement is a means to allow development in otherwise inappropriate locations.

**Mrs D Jeffrey (548760 - PLAN808 and PLAN809)** considers that new settlements would be more desirable than large extensions to existing villages.

**Penny Uprichard (344887)** considers that the statement:- 'Where there is insufficient land or where the nature/scale of land use required to deliver the Plan cannot be accommodated within or on the edge of principal settlements and this offer the genuine possibility for self-sustaining settlements the expansion of other settlements should be considered' refers specifically to St. Andrews.

**Royal Burgh of St. Andrews Community Council (453889)** has requested modifications to paragraphs two and seven of the supporting text on Page 8.

**Ryden for Bon Accord Land Limited / Stewart Milne Homes (330884)** consider that Policy 1, Part B is not clear on where the hierarchy of principal, settlements fits. Land within principal settlements should not be given priority as it can be developed through Local Development Plans. Greater emphasis should be given to land on the edge of principal settlements regardless of their tier.

**Smiths Gore for Mansfield Estates (442870 - PLAN545)** have requested a modification to the text of Policy 1, Part B in relation to looking more at local needs.

**Spittalfield and District Community Council (539326); TMS Planning (for Champion Homes (5464910 - PLAN225); Mr James Thomson (345005 - PLAN237); Mr Simon Wilson (345007 - PLAN397); Mr Tim Esparon (345006 - PLAN188); and Muir Homes Limited (346675 - PLAN357))** have all requested a modification to Page 8, Paragraph 11.

**SportScotland (331662)** have indicated that it is not clear from this section of the Plan what the approach to development in the countryside (completely outwith a settlement) is. Page 9 of the Proposed Plan states that development in rural areas where it can be accommodated and supported by the settlement, may be acceptable. It is not clear what this means - is the policy referring to development within rural settlements or is it referring to countryside areas outwith settlements? Policy clarity is needed in this area.

**St. Andrews Preservation Trust (547750)** have requested a change to paragraph nine on Page 8 as they do not see the logic of the statement in the St. Andrews context. The Fife Structure Plan acknowledged the "national and international importance" of the landscape setting of St. Andrews but nevertheless proposed massive building, expanding the built area, by at least 30% in sensitive landscape areas providing views to and from the historic core (and the landscape setting of the town). There seems to have been no re-appraisal of this in the TAYplan.

**TMS Planning (for Champion Homes (5464910 - PLAN226 and PLAN227); Mr James Thomson (345005 - PLAN238 and PLAN239); Mr Simon Wilson (345007 - PLAN398); Mr Tim Esparon (345006 - PLAN192, PLAN193 and PLAN202); and Muir Homes Limited (346675 - PLAN358))** have all requested a modification to Policy 1, Part B3 to provide clarity in respect of self-sustaining settlements (Policy B3).

**TMS Planning for Mr Tim Esparon (345006 - PLAN201)** has requested additional text for the last paragraph on Page 8, specifically looking at local needs to help sustain local communities.

## **SUMMARY OF REPRESENTATIONS SUPPORTING AS WRITTEN**

**Montagu Evans (444081)** have indicated that they note that TAYplan balances the importance of sustaining rural economies with the need to protect the countryside, by allowing some development in small settlements which are not principal settlements and that implementation of this will be set out in the Local Development Plans. This approach is supported.

**Scottish Natural Heritage (344848)** support Policy 1, Part B.

**Modifications sought by those submitting representations:**

**NOTE TO REPORTER:** The text in italics in this section has been lifted directly from each individual/organisation's representation with minor typographical errors corrected.

**Alyth Community Council (548872):-**

- No specific change identified, although have concerned that *it appears apparent that we in the rural areas and small towns like Alyth need expect any priority in the next 20 years. This is a plan which focuses on the larger urban areas and neglects the rest of this area.*

**Andrew McCafferty Associates for GD Strawson and J Farquharson (548151 – PLAN446):-**

- The reference in Part B to prioritising land release should be deleted from the Plan.

**Andrew McCafferty Associates for GD Strawson and J Farquharson (548151 - PLAN745)**

**:-**

- *The third paragraph down in the right hand column on page 8 referring to prioritising land release should be deleted.*

**Andrew McCafferty Associates for GD Strawson and J Farquharson (548151 - PLAN747)**

**:-**

- *Deletion of the following sentence at the end of the fifth paragraph in the right hand column on page 8: "There will be no need for any new settlements during the lifetime of this Plan."*

**Barton Willmore for Scotia Homes (443109); Homes for Scotland (442882); Smiths Gore (for Errol Park Estate (442871); and Mansfield Estates (442870 – PLAN547))**

- *Reword as follows:- 'Prioritise within each category, as appropriate, the reuse of previously developed land and buildings, where financially viable to do so.'*

**Bidwells for Zurich Assurance Limited (442149):-**

- *...believe that there should be a greater emphasis on the effectiveness of development land and this should be re-inforced throughout pages 8 and 9 but in particular in Policy 1, Part B.*

**Emac Planning (for J G Lang & Son ( 445206); James Keiller Estates (445203); L Porter (548383); M Batchelor (B) (548360); M Batchelor (K) (548301)) :-**

- *Under B, after "prioritise land release for development within principal settlements" insert "which will be identified through the Local Development Plan process".*

**Geddes Consulting (for Lynch Homes (438726); Thomson Homes Limited (445159 – PLAN884); and Thomson Homes Limited (445159 – PLAN885)):-**

- *Proposed Change:  
B. prioritise land release for development within principal settlements ahead of other land; and, prioritise within each category, as appropriate, the reuse of previously developed land and buildings (particularly listed buildings). Local Development Plans should allocate land for development to achieve the requirement set out in Policy 4 and Policy 5. Where the effective land supply is not sufficient to meet the requirements set out in Policy 4 and Policy 5, additional land should be released through a proposed mechanism in the Local Development Plans.*

**GS Brown Construction (543112 – PLAN85 and PLAN89):-**

- Although no specific change has been identified, it is considered that *the plan is too heavily skewed towards development taking place in major settlements, thereby preventing natural growth and development of some of the smaller settlements.*
- *The Carse of Gowrie, lying as it does between the principal settlements of Perth and Dundee, should not be the subject of an outright presumption against ANY development. Flooding is not a problem of sufficient importance to justify such a restriction and the density of population in the corridor is actually a positive factor to be harnessed in encouraging a switch from private to public transport.*
- *The commitment in Policy B to prioritise land release for development within principal settlements is too simplistic – judgements on a site by site basis are necessary to establish whether they are effective or non effective.*

**Halliday Fraser Munro for Barratt Homes (548389) :-**

- *Change; 'Prioritise land release for development within principal settlements'... to the core areas .*

**Karen Clark for Discovery Homes (346689):-**

- *Recognition in the Location Priorities of the pressures on the urban fringe areas.*
- *Provision of a Plan at a larger scale to provide clarity on the Tier catchment areas.*

**Lomond Land (237724):-**

- *The need to allow development to support rural communities and sustain rural economies where they genuinely offer opportunity for self-sustaining settlement expansion should be given stand alone policy support by Tayplan. This should be separated from the sequential test approach of Policy 1. The test of acceptability of development to support rural communities should be based on criteria which assess the developments contribution to sustaining the settlements where it is proposed, not the availability of land in the other principal settlements as proposed by the sequential Policy 1.*

**Lynne Palmer (443979):-**

- *Policy 1B. Include demolition of buildings to release land.*

**Montagu Evans LLP for Wallace Land Investment Management (343111):-**

- *Reflecting submissions to the Main Issues Report, in supporting economic development opportunities that may present themselves across the plan area, as advocated earlier in this submission, the plan should not discourage growth by adding additional restrictions to potentially effective greenfield sites.*

**Montgomery Forgan Associates for Strategic Land (Scotland) Limited (442083) :-**

- *TAYplan should specifically state that both greenfield and brownfield land will be required to secure the identified levels of completion and to offer choice as required by Scottish Planning Policy.*

**Mr Ian Fowler (548055):-**

- *Page 8 states- "this plan balances the importance of sustaining rural economies with the need to protect the countryside, by allowing some development in small settlements which are not principle settlements. Implementation of this plan will be set out in Local Developments Plan." Could you include a comment that present village boundaries will be recognised and not exceeded by additional developments, coalescence between settlements will not be allowed and the integrity and independence of small villages will be guaranteed.*

**Mr Ken Miles (548486) :-**

- Policy 1 B3 should be deleted as the statement is a means to allow development in otherwise inappropriate locations.

**Mrs D Jeffrey (548760 –PLAN808 and PLAN809) :-**

- No specific change identified, although considers that new settlements would be more desirable than large extensions to existing villages.

**Penny Uprichard (344887) :-**

- No specific change identified, however considers that the statement:- *'Where there is insufficient land or where the nature/scale of land use required to deliver the Plan cannot be accommodated within or on the edge of principal settlements and this offer the genuine possibility for self-sustaining settlements the expansion of other settlements should be considered'* refers specifically to St. Andrews.

**Royal Burgh of St. Andrews Community Council (453889) :-**

- Page 8, Location Priorities, Paragraph 2. Change "They also have significant land capacity to accommodate future development." Too Many of them also have significant land capacity to accommodate future development."
- Page 8, Location Priorities, Paragraph 7. Change "or attending major events, such as international golfing competitions e.g. St. Andrews" to "or as bases for attending major events, such as international golfing competitions e.g. St. Andrews."

**Ryden for Bon Accord Land Limited / Stewart Milne Homes (330884):-**

- No specific change identified, although consider that Policy 1, Part B is not clear on where the hierarchy of principal, settlements fits. Land within principal settlements should not be given priority as it can be developed through Local Development Plans. Greater emphasis should be given to land on the edge of principal settlements regardless of their tier.

**Smiths Gore for Mansfield Estates (442870 - PLAN546 and PLAN547))) :-**

- Page 9 Policy Location Priorities, Proposal B, Change to "Prioritise land release for development within principal settlements ahead of other land; and prioritise within each category, as appropriate, the reuse of previously developed land and buildings."

**Spittalfield and District Community Council (539326):-**

- by allowing some development in small settlements which are not principal settlements, in small proportion to their size.

**SportScotland (331662):-**

- No specific change identified and are seeking clarification on *what the approach to development in the countryside (completely outwith a settlement) is. Page 9 states that development in rural areas where it can be accommodated and supported by the settlement, may be acceptable. It is not clear what this means - is the policy referring to development within rural settlements or is it referring to countryside areas outwith settlements? Policy clarity is needed in this area.*

**St. Andrews Preservation Trust (547750)** have requested a change to paragraph nine on Page 8, although no specific change has been identified.

**TMS Planning (for Champion Homes (5464910 - PLAN225); Mr James Thomson (345005 - PLAN237); Mr Simon Wilson (345007 - PLAN397); Mr Tim Esparon (345006 - PLAN188); and Muir Homes Limited (346675 - PLAN357)) :-**

- Page 8 last paragraph "The plan balances..... Local development plans". This

*paragraph needs to state that (added at the end) "There is a requirement to look at local needs and to deliver development to help sustain communities and the services/facilities that serve them. It is a requirement of this plan that local development plans specially address local needs as an integral part of the development strategy".*

**TMS Planning (for Campion Homes (5464910 - PLAN226 and PLAN227); Mr James Thomson (345005 - PLAN238 and PLAN239); Mr Simon Wilson (345007 - PLAN398); Mr Tim Esparon (345006 - PLAN192, PLAN193, PLAN201 and PLAN202); and Muir Homes Limited (346675 - PLAN358)) :-**

- *Part B within the table with priorities 1-3, section 3 is unclear and requires to be clarified. The words "and this offers the genuine opportunity for self-sustaining settlements" should be deleted. Added to the end of the section 3 should be the term "Such expansion should be guided by the Vision and Objectives of the Plan and the individual needs and capacity of the settlement and should be demonstrated through the local development plan process".*

#### **Summary of responses (including reasons) by Planning Authority:**

### **RESPONSES TO REPRESENTATIONS SEEKING A CHANGE**

**Alyth Community Council (548872)** The Proposed Plan has identified a series of the region's principal settlements as the focus for additional development. These settlements are already the largest concentrations of population, jobs, services and facilities. They are also most able to accommodate additional growth. The settlements are divided into three tiers which distinguish between the scale of growth to be accommodated, these reflect the varying scales of size and significance of these principal settlements. This approach does not preclude development elsewhere but ensures that the majority is in locations which will reflect the vision and objectives. TAYplan therefore does not agree with the respondents. No change is required.

**Barton Willmore for Scotia Homes (443109); Homes for Scotland (442882); Smiths Gore (for Errol Park Estate (442871); and Mansfield Estates (442870 – PLAN546 and PLAN547)):-** Policy 1, Part B is consistent with Scottish Planning Policy (Page 16, Paragraph 80) which requires planning authorities to promote the efficient use of land and buildings, directing development towards sites within existing settlements where possible to make effective use of existing infrastructure and service capacity and to reduce energy consumption. Redevelopment of urban and rural brownfield sites is preferred to development on greenfield sites. In addition, Scottish Planning Policy indicates that when identifying locations for housing, planning authorities and developers should consider the reuse of previously developed land before development on greenfield sites and should take account of a number of factors, including the potential contribution to the strategy and policies of the development plan, accessibility, availability of infrastructure, including waste management, education and community facilities, whether development can be achieved within the required time frame, the provision of choice across the housing market area, design, quality and density of development, and the individual and cumulative effects of the proposed development. There is no specific reference within Scottish Planning Policy regarding financial viability. No change is therefore required within the Proposed Plan.

**Bidwells for Zurich Assurance Limited (442149); Emac Planning (for J G Lang & Son (445206); James Keiller Estates (445203); L Porter (548383); M Batchelor (B) (548360); M Batchelor (K) (548301)); Geddes Consulting (for Lynch Homes (438726); Thomson Homes Limited (445159 – PLAN884); and Thomson Homes Limited (445159 – PLAN885)):-** Policy 1 sets out the spatial strategy and says where development should and should not go. It focuses the majority of the region's new development within principal

settlements. Policy 5 specifies that Local Development Plans should identify a minimum 5 year and work towards a 7 year effective housing land supply by 2015 to support economic growth. TAYplan do not consider that an additional statement is therefore required within Policy 1 of the Proposed Plan as requested by the respondent, as the emerging Local Development Plans will be required to allocate land within each Housing Market Area in order to provide for an effective and generous supply of housing land as required by Scottish Planning Policy (Page 14, Paragraph 70) (CL/Doc2). In addition, if the additional statement was included and be repetitive in other policy areas, a short, concise and visionary Strategic Development Plan would not be possible (Planning Circular 1/2009: Development Planning, Page 4, Paragraph 14) (CL/Doc29). In relation to the comment by **Geddes Consulting (for Lynch Homes (438726); and Thomson Homes Limited (445159))** regarding the request for additional land to be proposed by Local Development Plans where the effective supply is not sufficient, TAYplan considers that Policy 5 (Page 17) provides flexibility for Local Development Plans to allocate a larger supply of land in order to assist the delivery of build rates. In addition, Local Development Plans can utilise as a potential source of supply to meet shortfalls in planned provision the initial assessment of sites carried out by each authority in their 2009 Urban Capacity Studies (Background Technical Note, Page 20, Paragraph 3.35) (CL/Doc58). This approach is consistent with Scottish Planning Policy (Page 16, Paragraph 81) (CL/Doc2).

**Andrew McCafferty Associates for GD Strawson and J Farquharson (548151 – PLAN446):-** The Proposed Plan has identified a series of the region's principal settlements as the focus for additional development. These settlements are already the largest concentrations of population, jobs, services and facilities. They are also most able to accommodate additional growth. Topic Paper 6: Spatial Strategy (CL/Doc35) explains that the principal settlements were divided into three tiers to reflect their different scales, roles and functions, now and in the future. Concentrating development in these settlements is seen as the best way to ensure that people, business, jobs, services and facilities are all close together offering increased access and opportunities (Page 3, Paragraph 3.4). Prioritising land release within principal settlements ahead of land elsewhere is integral to ensuring that the majority of growth is concentrated there. This is central to meeting the vision and objectives including the need to travel, reduce carbon emissions, reinvest in existing communities and support sustainable economic growth.

It should also be noted that within the Background Technical Note to the Main Issues Report (April 2010) (CL/Doc58), TAYplan considered a Spatial Strategy which would have focused development along the region's main transport corridors. This would have included land at the Carse of Gowrie. Such a spatial strategy was considered unreasonable and unrealistic given the reliance on travel to access jobs, services and facilities which would be inconsistent with Scottish Planning Policy (Background Technical Note (2010), Pages 118-119, Paragraphs 8.52-8.55). The majority of Main Issues Report respondents preferred the strategy of concentrating growth in Core Areas (Topic Paper 6: Spatial Strategy, Page 4) (CL/Doc35).

**Andrew McCafferty Associates for GD Strawson and J Farquharson (548151 - PLAN745); GS Brown Construction (543112 – PLAN85 and PLAN89); Halliday Fraser Munro for Barratt Homes (548389); Lynne Palmer (443979); Montagu Evans LLP for Wallace Land Investment Management (343111); Montgomery Forgan Associates for Strategic Land (Scotland) Limited (442083); and Ryden for Bon Accord Land Limited / Stewart Milne Homes (330884):-** TAYplan consider that Policy 1, Part B is clear, concise and sufficiently flexible to deliver development in accordance with Scottish Planning Policy (Page 16, Paragraph 77) (CL/Doc2). Prioritising land release within principal settlements ahead of land elsewhere is integral to ensuring that the majority of growth is concentrated there. This is central to meeting the vision and objectives including the need to travel, reduce carbon emissions, reinvest in existing communities and support sustainable economic growth. The Proposed Plan clearly specifies that following land within principal settlements, land on the edge of principal settlements would then be under consideration. Emerging Local Development Plans will allocate appropriate land taking into account the development priorities established

within the Strategic Development Plan. In relation to comments by **Lynne Palmer (443979)**, although demolition of buildings may be the source of some future development land planning permission (with the exception of protected buildings and areas) is not required for demolition, therefore no change is proposed.

**Andrew McCafferty Associates for GD Strawson and J Farquharson (548151 - PLAN747); Mrs D Jeffrey (548760 –PLAN808 and PLAN809):-** Although noting the views of the respondent in relation to new settlements, TAYplan does not consider that new settlements are required within the Proposed Plan period. The Background Technical Note (Page 123, Paragraph 8.71) (CL/Doc58) explains that there is likely to be sufficient land to accommodate anticipated development within existing settlements over the first 12 years of the Plan. Given this circumstance, and with no defined need for a new settlement, it is most likely that settlement extensions would best reflect the objectives of the settlement strategy within the Proposed Plan.

Scottish Planning Policy (Page 17, Paragraphs 84-85) (CL/Doc2) is also clear that a new settlement may be appropriate if it is justified by the scale and nature of the housing land requirement, and there are physical, environmental or infrastructural constraints to the further growth of existing settlements, it is part of a strategy for promoting rural development and regeneration, it could assist in reducing development pressure on other greenfield land, it can be readily serviced by public transport, it will not have a significant adverse effect on any natural or built heritage interest safeguarded by a national or international designation, and it will not result in other significant environmental disbenefits, for example promoting development in areas of high flood risk. TAYplan also does not consider that there is justification for a new settlement within the region based upon the above criteria. Any change, in the Policy to suggest new settlements would be acceptable would fundamentally undermine the Plan's objectives.

**GS Brown Construction (543112):-** In relation to modifications sought by the respondent in relation to the Carse of Gowrie, this matter is considered in more detail within Issue 3: Location Priorities – Settlements.

**Karen Clark for Discovery Homes (346689)** consider that further recognition should be given to land on the urban fringes. TAYplan consider that the identification of development land is for emerging Local Development Plans to consider based on the merits of that land within the context of the strategy. There may be circumstances where some land is allocated within and some on the edges of a principal settlement but it will be for the Local Development Plan to determine if this is the most appropriate outcome.

**Lomond Land (237724):-** The Proposed Plan has identified a series of the region's principal settlements as the focus for additional development. These settlements are already the largest concentrations of population, jobs, services and facilities. They are also most able to accommodate additional growth. Topic Paper 6: Spatial Strategy (CL/Doc35) explains that the principal settlements were divided into three tiers to reflect their different scales, roles and functions, now and in the future. Concentrating development in these settlements is seen as the best way to ensure that people, business, jobs, services and facilities are all close together offering increased access and opportunities (Page 3, Paragraph 3.4). Prioritising land release within principal settlements ahead of land elsewhere is integral to ensuring that the majority of growth is concentrated there. This is central to meeting the vision and objectives including the need to travel, reduce carbon emissions, reinvest in existing communities and support sustainable economic growth. Policy 1, Part B is consistent with Scottish Planning Policy (Page 16, Paragraph 80) (CL/Doc2) which requires planning authorities to promote the efficient use of land and buildings, directing development towards sites within existing settlements where possible to make effective use of existing infrastructure and service capacity and to reduce energy consumption.

Notwithstanding this, Policy 1: Location Priorities, Part A (Page 13) provides opportunity for Local Development Plans to provide for some development outwith principal settlements where this can be accommodated and supported by the settlement and where it contributes to the objectives of the Strategic Development Plan whilst also meeting local needs or supporting the regeneration of the local economy.

TAYplan consider that Policy 1 is clear, concise and sufficiently flexible to deliver development in the most appropriate locations in accordance with Scottish Planning Policy (Page 16, Paragraph 77).

**Penny Uprichard (344887):-** TAYplan does not agree with the respondent's comments regarding Policy 1, Part B, priority 3 and the reference to St. Andrews. Policy 1, Part A identifies St. Andrews as a Tier 2 principle settlement. Tier 2 Settlements accommodate some of the TAYplan area new development but at a much smaller scale than the Tier 1 settlements. They are differentiated from Tier 3 because their present roles as service centres, particularly retail and their potential economic significance are important in regional terms, for example the tourism and research potential of St Andrews. The economic importance of St. Andrews was recently acknowledged within the recent Penny Uprichard v The Scottish Ministers and Fife Council Court of Session decision, in which the judge states *"The effect of our quashing those parts of the Plan that relate to St Andrews West would be that it would cease to be a strategic land allocation. That would undermine the settlement strategy of the Plan. It would disrupt the local plan process. It would frustrate the policy decision that St Andrews must make its contribution to the economic regeneration of Fife. In this way the wider economic strategy would be undermined and, in my opinion, would become unworkable. I think that there would also be a vacuum in the development plan because there would no longer be a coherent planning framework for development control in St Andrews West."* (Penny Uprichard v The Scottish Ministers and Fife Council Court of Session decision)

The strategy of the Proposed Plan allows for some development in these areas to support their present roles, recognising that their continued use and improvements will contribute significantly to the regional economy. However, beyond the strategic sites outlined in Policy 4 of the Proposed Plan (Page 15) Tier 2 settlements accommodate a smaller share of the new development of the TAYplan area and would be unlikely to accommodate additional strategic scale development. Beyond existing proposals in and around St. Andrews, development pressures would be directed away from St Andrews (Background Technical Note (2010), Page 115, Paragraphs 8.39) (CL/Doc58).

Land Release priority 3 in Policy 1, Part B is the final consideration that should be made when all other land sources for development within identified principle settlements have been exhausted.

**Mr Ian Fowler (548055):-** TAYplan considers that the level of detail in Policy 1 is appropriate for a strategic planning policy document and does not require to prevent coalescence to all settlements within the TAYplan region. Scottish Planning Policy states that "other policies or designations, such as countryside policies, provide an appropriate context for decision making" (Scottish Planning Policy, Page 32, Paragraph 160) (CL/Doc28). Therefore it is considered that the prevention of coalescence of other settlements is an issue which will be considered in more detail within emerging Local Development Plan policy and/or during the planning application process.

**Mr Ken Miles (548486):-** TAYplan does not agree with the respondents comments in relation to Policy 1, Part B, priority 3. Land Release priority 3 in Policy 1, Part B is the final consideration that should be made when all other land sources for development within identified principle settlements have been exhausted.

**Royal Burgh of St. Andrews Community Council (453889):-** Policy 1 and its supporting text on Page 8 is clear and concise as required by Planning Circular 1/2009: Development Planning (Page 4, Paragraph 14) (CL/Doc29) and sufficiently flexible to deliver development in accordance with Scottish Planning Policy (Page 16, Paragraph 77) (CL/Doc2). Prioritising land release within principal settlements or adjacent to them ahead of land elsewhere is integral to ensuring that the majority of growth is concentrated there. This is central to meeting the vision and objectives including the need to travel, reduce carbon emissions, reinvest in existing communities and support sustainable economic growth. Emerging Local Development Plans will allocate appropriate land taking into account the development priorities established within the Strategic Development Plan.

In relation to tourism, TAYplan considers that the modification requested by the respondent is already stated within paragraph 7 on Page 8. There is no requirement to repeat the phrase requested as the text is already clear and concise in accordance with Planning Circular 1/2009: Development Planning.

**Smiths Gore for Mansfield Estates (442870); TMS Planning (for Champion Homes (5464910 - PLAN225); ); Mr James Thomson (345005 - PLAN237); Mr Simon Wilson (345007 - PLAN397); Mr Tim Esparon (345006 - PLAN188); and Muir Homes Limited (346675 - PLAN357):-** In relation to the comments made on local needs, TAYplan considers that the meeting of local needs, particularly outside of principal settlements along with other considerations is appropriately dealt with in Policy 1, Part A. The supporting text final paragraph on page 8 explains that the various balances between different considerations and how these are applied in different localities will be for Local Development Plans. This is considered sufficient to explain how local needs can be met and no change is proposed.

**Smiths Gore for Mansfield Estates (442870)** has also requested a modification to Policy 1, Part B in relation to the deletion of the reference to listed buildings. Policy 1, Part B is consistent with Scottish Planning Policy (Page 16, Paragraph 80) (CL/Doc2) which requires planning authorities to promote the efficient use of land and buildings, directing development towards sites within existing settlements where possible to make effective use of existing infrastructure and service capacity and to reduce energy consumption. The reference to listed buildings reflects the strategic importance of these assets in defining the TAYplan region, therefore the reuse of listed buildings is preferential than being left vacant.

**Spittalfield and District Community Council (539326):-** It is considered that there is no requirement to modify the supporting text on Page 8 of the Proposed Plan as requested by the respondent. Policy 1 is clear and concise in relation to development outwith principal settlements. Part A provides opportunity for Local Development Plans to provide for some development outwith principal settlements where this can be accommodated and supported by the settlement and where it contributes to the objectives of the Strategic Development Plan whilst also meeting local needs or supporting the regeneration of the local economy. This part of Policy 1 read in conjunction with Part B, which prioritises the development hierarchy sets out clearly the spatial strategy for implementation by the emerging Local Development Plans. TAYplan therefore consider that a modification, as specified by the respondent for the supporting text, would result in duplication within other parts of the Proposed Strategic Development Plan and would not result in a short, concise and visionary Strategic Development Plan (Planning Circular 1/2009: Development Planning, Page 4, Paragraph 14) (CL/Doc29).

**SportScotland (331662):-** Topic Paper 6: Spatial Strategy (Page 7, Paragraph 5.12) (CL/Doc35) states that the "Proposed Plan must be clear what arrangements are expected for development outside of principle settlements." The approach adopted by the Proposed Plan seeks to balance the need to support the rural economy with protecting the countryside by ensuring that only development which directly contributes to meet local needs and support the

economy is allowed. Policy 1 refers to both development within smaller rural settlements (not identified as principal settlements) as well as more remote countryside areas. Ultimately, emerging Local Development Plans will allocate appropriate land taking into account the development priorities established within this Strategic Development Plan and where it meets the vision and objectives of the Plan, including the need to travel, reduce carbon emissions, reinvest in existing communities and support sustainable economic growth.

**St. Andrews Preservation Trust (547750):-** The Proposed Plan has identified a series of the region's principal settlements as the focus for additional development. These settlements are already the largest concentrations of population, jobs, services and facilities. They are also most able to accommodate additional growth. Topic Paper 6: Spatial Strategy (CL/Doc35) explains that the principal settlements were divided into three tiers to reflect their different scales, roles and functions, now and in the future. Concentrating development in these settlements is seen as the best way to ensure that people, business, jobs, services and facilities are all close together offering increased access and opportunities (Page 3, Paragraph 3.4). Prioritising land release within principal settlements ahead of land elsewhere is integral to ensuring that the majority of growth is concentrated there. This is central to meeting the vision and objectives including the need to travel, reduce carbon emissions, reinvest in existing communities and support sustainable economic growth. Policy 1, Part B and the supporting text on Page 8 is consistent with Scottish Planning Policy (Page 16, Paragraph 80) (CL/Doc2) which requires planning authorities to promote the efficient use of land and buildings, directing development towards sites within existing settlements where possible to make effective use of existing infrastructure and service capacity and to reduce energy consumption.

In terms of the respondent's comments in relation to St. Andrews, the recently approved Fife Structure Plan (2009) (CL/Doc39) has already carried out an exercise to identify and consider the implications of strategic sites, including St. Andrews (Background Technical Note (2010), Page 112, Paragraph 8.31) (CL/Doc58). The paragraph within Policy 1 regarding St. Andrews is included in order to protect the setting of the town and the views in and out of its historic core. Smaller scale development within the town's boundary will be for the Local Development Plan to consider (Topic Paper 6: Spatial Strategy, Page 7, Paragraph 5.13) (CL/Doc35). This approach is also compatible with Policy 3 (Greenbelts).

**TMS Planning (for Campion Homes (5464910 - PLAN226 and PLAN227); Mr James Thomson (345005 - PLAN238 and PLAN239); Mr Simon Wilson (345007 - PLAN398); Mr Tim Esparon (345006 - PLAN192, PLAN193, PLAN201 and PLAN202); and Muir Homes Limited (346675 - PLAN358)):-** Land Release priority 3 in Policy 1, Part B is the final consideration that should be made when all other land sources for development within identified principle settlements have been exhausted. Emerging Local Development Plans will allocate appropriate land taking into account the development priorities established within the Strategic Development Plan.

In relation to the comments made on local needs, TAYplan considers that the meeting of local needs, particularly outside of principal settlements along with other considerations is appropriately dealt with in Policy 1, Part A. The supporting text final paragraph on page 8 explains that the various balances between different considerations and how these are applied in different localities will be for Local Development Plans. This is considered sufficient to explain how local needs can be met and no change is therefore proposed.

## **RESPONSE TO REPRESENTATIONS SUPPORTING AS WRITTEN**

TAYplan welcomes the support for these issues.

## CONCLUSION

Policy 1 is consistent with Scottish Planning Policy. 55% of respondents at the Main Issues stage supported the preferred strategy, whilst 14% preferred the alternative strategy. 49% of respondents agreed with the settlements identified as the region's principal settlements (Main Issues Report (2010), Pages 40-48) and (Topic Paper 6: Spatial Strategy, Page 4). TAYplan considers that the issues raised do not warrant any change to the Proposed Strategic Development Plan (June, 2011) and propose that the elements dealt with in this Schedule 4 Summary of Unresolved Issues remain as written and unchanged. No Key Agencies, including the Scottish Government have sought any changes to Policy 1. TAYplan consider that any modifications to Policy 1 could have fundamental implications on delivering the vision and objectives of the Proposed Plan.

<b>Reporter's conclusions:</b>
[Note: For DPEA use only.]
<b>Reporter's recommendations:</b>
[Note: For DPEA use only.]

## **2. Copy of representations pertinent to this issue**

**3. Library of documents and extracts (less than 50 pages) referred to within representations and/or this Schedule**